

REMARKS

The following claims are pending in the application: 1 – 16

The following claims have been amended: 7, 9, 12

The following claims have been deleted: 1 – 6, 8, 11, and 15

The following claims have been added: 17 - 24

As a result of the foregoing Amendment, the following claims remain pending in the application: 7, 9, 10 12 – 14, and 16 – 24.

Restriction Requirement

In response to the previous restriction requirement, Applicants hereby cancel claims 1 through 6 and 11 without prejudice and reserve the right to pursue such claims through one or more related applications.

New Oath/Declaration

Applicants have submitted herewith a new oath/declaration in compliance with 37 C.F.R. §1.67(a) identifying the present application by application number and filing date.

Objection to the Disclosure

The Examiner requires correction to paragraph **[0001]** to properly identify the application as a continuation-in-part rather than a divisional application.

Applicants have amended paragraph **[0001]** as required by the Examiner.

Amendments to Paragraphs [0010] and [0017]

Applicants have amended paragraphs [0010] and [0017] to recite the definition of 'n' as initially provided in paragraph [0010] at line 12 (not counting the figure inserted therein). Applicants respectfully submit that the definition of n is applicable in each instance in accordance with standard chemical practice wherein a subscript or prime indicator would be used to denote differences as is understood by one of ordinary skill in the chemical arts. For example, n may be defined as 0 to 6, while n' (or n₁) would indicate a range other than 0 to 6.

The Rejections Under 35 U.S.C. §112, second paragraph

The Examiner has rejected claims 7 – 10 and 12 - 16 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 7, the Examiner takes the position that the terms "sufficiently" and "substantially" are relative terms that render the claims indefinite because insufficient guidance is given in the specification to determine the scope of limitations associated with these terms. The Examiner further takes the position that the scope of "a sufficiently deaggregated state" and the scope of "substantial prevention of redshifting and lowering of light emission efficiency" are not clear. The Examiner further questions how deaggregated a "sufficiently deaggregated state" is and how much redshifting and lowering of light emission efficiency must be prevented to meet the limitations of the last three lines of claim 7.

The Examiner further states that the limitation regarding substantial prevention of redshifting and lowering of light emission efficiency is also unclear because it is not certain what the comparison point is. That is, redshifting is substantially prevented compared to what? In view of the references of record in the parent application, redshifting results from aggregation which is morphology dependent and is minimal in "powder" samples. The present claims are drawn to a light-emitting polymeric material or a device comprising the polymeric material – there being no limitation on the morphology of the polymeric material.

Applicants have amended claim 7 to removing "so as to prevent any redshifting of said electroluminescence and any lowering of light emission efficiency of said electroluminescence". Applicants respectfully submit that the characteristics of the emitted light would be inherent to the device and thus the amended claim is accordingly compliant with 35 U.S.C. §112 first paragraph. Thus, Applicants submit that the outstanding rejection may be properly withdrawn.

The Examiner takes the position that claim 8 is confusing because it is not clear if the layer of an electron-blocking polymer is part of the light emitting polymeric material, or if the light emitting polymeric material is part of a layer of an electron-blocking polymer, or if the light emitting polymeric material functions as a layer of an electron-blocking polymer, or if the light emitting polymeric material comprises at least two layers (one layer being a layer of an electron-blocking polymer and another layer being a layer comprising said rotaxanes).

Applicants have amended claim 7 to more accurately claim the subject matter of the present invention and respectfully submit that in light thereof that the Examiner's outstanding rejection of claim 8 may be properly withdrawn.

The Examiner takes the position that claim 10 lacks antecedent basis for "said electron transporting polymer".

Applicants respectfully submit that in light of the amendment to claim 7, that the Examiner's outstanding rejection as to claim 10 is moot.

The Examiner takes the position that the variable 'n' in '(CH₂)_n' is not defined in claim 12.

Applicants have amended claim 12 and respectfully direct the Examiner's attention to page 3 of the specification (and the discussion above regarding paragraphs **[0010]** and **[0017]**) wherein it states that "n may be of a value independently selected from the group of 0 to 6, inclusive" at line 20 as disclosure support for the variable 'n' in claim 12.

The Rejection Under 35 U.S.C. §102(b)

The Examiner has rejected claims 7, 10, 14, and 15 under 35 U.S.C. §102(a) as being anticipated by Nepal et al. in Macromolecules 2003, 36, p. 3800 – 3802 (published on Web 4-30-03).

Applicants have amended claim 7 thereby obviating the Examiner's outstanding rejection. Accordingly, Applicants respectfully submit that the Examiner's outstanding rejection may be withdrawn.

The Rejection Under 35 U.S.C. §103(a)

The Examiner has rejected claim 16 under 35 U.S.C. §103(a) as being unpatentable over Nepal et al. as applied to claims 7, 10, 14, and 15 above, in light of it being known in the art to provide an electroluminescent device as suggested by Nepal et al. utilizing known conductive and semi-conductive materials for the electrodes.

Applicants have amended claim 7 from which claim 16 depends and respectfully submit that the Examiner's outstanding rejection may be properly withdrawn in light thereof.

CONCLUSION

In view of the foregoing amendment and accompanying remarks, the Applicants respectfully submit that the present application is properly in condition for allowance and may be passed to issuance upon payment of the appropriate fees.

Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the subject application is respectfully encouraged.

Respectfully submitted,

ARTHUR J. EPSTEIN
YUNZHANG WANG
DARREN D. GEBLER
TIMOTHY M. SWAGER

Date: 11-24-04

By: Michael Stonebrook
Michael Stonebrook
Registration No.: 53,851
Standley Law Group LLP
495 Metro Place South, Suite 210
Dublin, Ohio 43017-5319
Telephone: (614) 792-5555
Facsimile: (614) 792-5536